

ON-LINE ZONING ORDINANCE DISCLAIMER

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ARTICLE 5.000 DEVELOPMENT STANDARDS

Text current through Ordinance
#1285 of June 6, 2005

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5.10 GENERAL REGULATIONS

- 5.11** No building or structure shall be built nor shall any existing building or structure be enlarged which does not conform to the regulations as to maximum ratio of floor area and lot areas, minimum lot sizes, minimum lot area for each dwelling unit or equivalent, minimum lot width, minimum dimensions of front, side and rear yards and maximum height of structures, in the several districts as set forth in Article 5.000, Section 5.30 except as hereinafter provided and except in the Cambridge Center MXD District which shall be governed by the requirements of Section 14.30.
- 5.12** The lot or yard areas required for any new building or use may not include any part of a lot that is required by any other building or used to comply with any requirements of this Ordinance, nor may these areas include any property of which the ownership has been transferred subsequent to the effective date of this Ordinance if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.
- 5.13** In the case of multiple buildings on a lot, the minimum distance between such buildings shall not be less than the sum of the heights of the buildings divided by six, or ten feet, whichever is greater. In determining compliance with this section, portions of buildings exempted by Section 5.23 shall not be counted in computing building height.
- 5.14** For residential uses permitted in Residence A, B, C, and Office districts which are not divided into dwelling units, each one thousand square feet of gross floor area of the building shall be considered equivalent to one dwelling unit for purposes of computing minimum lot area.
- 5.15** No lot or development parcel shall be changed in size, shape, or ownership so that the dimensional requirements or off street parking and loading requirements prescribed in this Ordinance are no longer satisfied. This paragraph shall not apply where a portion of the lot or development parcel is acquired for a public purpose. This paragraph shall not apply to townhouse development, as governed by Section 11.10.
- 5.20 STANDARDS FOR DIMENSIONAL REGULATIONS**
- 5.21** *Lot area and width*
- 5.21.1** On lots of less than the required area for the district in which they are located and which have been duly recorded by plan or deed with the Registry of Deeds before the
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date of the first passage of the applicable provisions of this or any prior Ordinance the minimum lot size and lot width regulations need not apply, but the floor area ratio and the minimum lot area regulations for each dwelling unit shall be applicable. In case of such lots of less than the required width the sum of the two required side yards need not be more than thirty (30) percent of the lot width, except that each side yard shall be a minimum of seven feet, six inches (7' 6").

- 5.21.2** No building shall be erected on a lot which does not have at least twenty (20) feet of frontage on a street. This paragraph does not apply to townhouse developments. This requirement shall not be applicable in the Cambridge Center MXD District.

5.22 *Usable Open Space*

- 5.22.1** Usable open space shall be provided on every lot used for residential purposes except for those in the Cambridge Center MXD District, and shall be a percentage of the lot area as set forth in Section 5.31. An area designated as usable open space must have both a width and a length of at least fifteen (15) feet, except for balconies, and may not have a slope greater than ten (10) percent. With the exception of balcony areas, usable open space shall be accessible to all occupants of a building; not less than one half of the required usable open space shall be provided at ground level or within ten (10) feet of the level of the lowest floor used for residential purposes. Areas at other levels, such as balconies, decks, and roofs, of garages and buildings, which are accessible to all occupants of buildings, which are not used as walkways or corridors, and which have both a width and a length of at least six (6) feet and a minimum area of seventy-two (72) square feet, may be calculated as usable open space, not to exceed twenty-five (25) percent of the total usable open space.

- 5.22.2** Where nonresidential and residential uses are mixed in a building, the required minimum usable open space for residential use shall be calculated in relation to the portion of the lot which the residential floor area is to the total floor area in the building.

- 5.22.3** Special Requirements in Residence A-1, A-2, B, C, and C-1

At least fifty (50) percent of the required Useable Open Space in these districts shall meet all of the requirements of Section 5.22.1 above. At least fifty (50) of the required Useable Open Space shall meet the definition of Permeable Open Space and shall not be subject to the dimensional limitations of Section 5.22.1 as applied to Useable Open Space.

- 5.23** *Height Exceptions.* The provisions of this Ordinance governing the height of buildings and structures in all districts shall generally not apply to (a) chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators and other necessary features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy, (b) to domes, towers, or spires above buildings if such features are not used for human occupancy and occupy less than ten (10) percent of the lot area, and (c) to wireless or broadcasting towers and other like unenclosed structures which occupy less than ten (10)percent of the lot area.
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However, building elements enumerated in (a) above shall be limited in height where they are placed on a building located in a non-residential district, which district abuts a Residence A-1, A-2, B, C, C-1, C-1A, C-2, C-2A, C-2B district. In these instances the following height limitations shall apply to those building elements:

1. The elements must be below one or more forty-five (45) degree bulk control planes. Each bulk control plane shall begin, in the vertical dimension, at the maximum height limit permitted in the non-residential zoning district. In the horizontal dimension, the plane shall begin at the residential/non-residential zoning district line: however, where that line lies within a street, the plane shall begin at the front lot line, located nearest the zoning district line, of the lots on which the building is sited. Thereafter the bulk control plane shall rise from its beginning over the non-residential zoning district. (*See illustrative figure 5.23*)
2. The limitations in Paragraph 1 above may be waived by special permit from the Planning Board upon a finding by the Board that the additional height is necessary. In making that determination the Planning Board shall consider the special and unique requirements of the use that the elements are serving, any special constraints imposed by the site upon which the building is located, the nature and character of development in the adjacent residential district, and the extent to which successful efforts are made to minimize the visual and acoustical impact of the elements on neighbors.

5.24 *Yards*

- 5.24.1** Every part of a required yard shall be open to the sky and unobstructed. Awnings, arbors, fences, flagpoles, recreational and laundry drying equipment and similar objects shall not be considered obstructions when located within a required yard. Open or lattice enclosed fire escapes for emergency use only are permitted to encroach on yard areas.
- 5.24.2** Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one half (3 1/2) feet and which are part of a building not more than thirty-five (35) feet in height, and unenclosed steps, unroofed porches and the like which do not project more than ten (10) feet beyond the line of the foundation wall and which are not over four (4) feet above the average level of the adjoining ground, may extend beyond the minimum yard regulations otherwise provided for the district in which the structure is built.
- 5.24.3** On lots abutting streets on more than one side, the front yard requirements of each of the abutting streets shall apply regardless of designated front lot lines. Any remaining sides shall be subject to side yard requirements.
- 5.24.4** Measurements for minimum yards which are determined by formula shall be made in the following manner:
- (1) "H" is the height of the building. "L" is the length of the wall measured parallel to the corresponding lot or street line. The front yard is measured from the street line, or building line where such has been established, except where otherwise indicated
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herein. For buildings of forty (40) feet or less in height the denominator in the yard formulas in the Tables in Section 5.30 may be increased by two subject to the minimum yard requirements set forth in footnotes a, b and c of Tables 5-1 and 5-2.

(2) Where a building consists of various roof levels an average height, or "H", may be used in the required yard formula. Average height is determined by adding the products of the height of each roof level facing the given lot line, (H_1 , H_2 , etc.) times the length of each roof level (L_1 , L_2 , etc.) and dividing the sum by the sum of the length of the levels (L_1 , L_2 , etc.) (see formula below)

$$\text{AVERAGE HEIGHT} = \frac{(H_1 \times L_1) + (H_2 \times L_2)}{L_1 + L_2}$$

(3) Where a building presents a variety of vertical planes to any given lot or street line, no plane shall be closer to the street or building line or lot line than permitted by the application to such plane of the appropriate formula in the tables of dimensional requirements in Section 5.30. For all planes set forward of the setback line required by said tables for the building if it were constructed in a single vertical plane, other planes must be set behind the setback line so calculated. The result shall be that the sum of the products of the setback required for each plane times the facing area of each plane respectively shall be at least as great as the product of the setback required by the appropriate table for the building if it were constructed in a single vertical plane times the facing area of the building if viewed as a single plane. (see illustration below):

The product of (setback₁ x facing area₁) + (setback₂ x facing area₂)
MUST EQUAL OR EXCEED the product of (single plane setback) x
(single plane facing area)

5.25 *FAR Exceptions for Parking and Loading Facilities*

5.25.1 Loading Facilities. Areas used for off-street loading purposes shall be exempt from the requirements as to Floor Area Ratio but shall conform to all other requirements of the district in which it is located.

5.25.2 Parking Facilities in Structures. The floor area of an underground parking garage and the floor area of the underground portion of a structure devoted in whole or in part to parking automobiles, shall not be counted as Gross Floor Area and shall be exempt from the requirements as to floor area but shall conform to all other requirements of the district in which it is located. All other parking in structures shall be subject to the requirements as to Floor Area Ratio.

5.25.21 Area of Parking Facility. For the purposes of this Section 5.25 the area of parking in a structure shall include all parking spaces, access drives, aisles and other elements of the parking facility and shall include any portion of a parking facility located at grade beneath a building but not otherwise enclosed.

5.25.22 Definition of Underground. For the purposes of this Section 5.25 only, “underground “ shall mean either of the following:

- (1) The location of the entire parking facility below the finished grade of the ground abutting the structure, or the underground portion thereof, which grade is maintained naturally without any structural support. No more than two access drives, which in combination total no more than 30 feet in width, shall be permitted to be above the finished grade and still be considered to be located underground.
- (2) The location of a portion of the facility above finished grade to the following extent:
 - (1) the mean height of that portion of the parking facility above finished grade around the entire perimeter of the facility does not exceed four (4) feet, which grade is maintained naturally without any structural support (in no case, however, shall the height above mean grade for that portion of the facility facing a public street exceed four feet), and
 - (2) the roof or top of the facility shall be either set beneath other, non-parking facility portions of the structure, landscaped or otherwise finished to serve as a pedestrian plaza, open space amenity, recreation area or pedestrian circulation. The height above mean grade shall be measured to the roof of the facility, or to the ceiling should the facility be set entirely below other non-parking elements of a building.

5.25.3 Exemption for Existing Parking Facilities. Structured parking facilities in existence on or before September 15, 2000, or constructed and occupied at a later date pursuant to a building or special permit in conformance with all provisions of Chapter 40A issued prior to the effective date of the provisions of this Section 5.25, shall not be subject to the requirements as to Floor Area Ratio.

5.25.4 Exceptions to the Provisions of this Section 5.25

5.25.41 Exemption for Residential Parking Spaces. Notwithstanding the provisions of Section 5.25.2 above, the following structured parking located above ground, accessory to a residential use, shall not be calculated as part of the Gross Floor Area on the lot:

- (1) One parking space located within a townhouse unit or a one, two or three family dwelling.
- (2) A freestanding parking structure containing no more than one parking space per dwelling unit up to a maximum of three parking spaces on a lot containing a one, two or three family dwelling.
- (3) One parking space per dwelling unit, up to a maximum of fifteen (15) spaces, for multifamily dwellings.

5.25.42 Where an above ground parking facility in a structure is proposed to be constructed (a) in the 100-year flood plain, identified as the Zone A flood hazard area (See Section 11.70), or as determined by credible evidence and calculations from a registered professional engineer or (b) on a contaminated site that is listed by the Massachusetts Department of Environmental Protection under the Massachusetts Contingency Plan (310 CMR 40.00) with a Release Tracking Number and has been tier classified, the Planning Board may grant a special permit to waive the limitations of this Section 5.25 so that the parking facility is not subject to the requirements in this Ordinance as to Floor Area Ratio

provided only the minimum number of parking spaces required for the uses on the site are provided. In granting such a special permit, the Planning Board shall find the following:

(1) Where in a flood hazard area, the construction of a parking facility underground is (a) not technically feasible due to the requirements of the Massachusetts Wetlands Protection Act (M.G.L. ch. 131, s.40), (b) would require construction that would violate requirements or limitations of the Massachusetts Wetlands Protection Act, (c) would, in the view of the Cambridge Conservation Commission, seriously compromise the wetlands protection objectives of the Massachusetts Wetlands Protection Act), and (d) would result in costs of construction that are significantly greater than would otherwise be typical for the location were it not in a flood hazard area; or

(2) Where the site is contaminated, the construction of a parking facility underground (a) would, in the opinion of a Licensed Site Professional, pose significant risks to public health or the environment through disturbance of hazardous materials and could not be reasonably mitigated in accordance with state and federal regulations, (b) require construction that is prohibited by state or federal regulations related to hazardous wastes, and (c) would result in costs of construction that would render the project financially unfeasible; and

(3) The above ground facility is designed so as to reduce its actual or perceived bulk through, among other possible techniques, limiting the number of parking spaces it contains, placement of portions of the facility below grade where feasible, or its location relative to actively occupied portions of the construction. Construction above grade is discouraged that would increase the amount of impervious area on the lot.

5.26 *Conversion of Dwellings.* No new dwelling unit created by the conversion of an existing dwelling into a greater number of units or by addition or enlargement of an existing dwelling shall be permitted unless the requirements of minimum lot area for each dwelling unit, maximum ratio of floor area to lot area, usable open space and off street parking are satisfied for all dwelling units (in existence and proposed) in the dwelling after the conversion or enlargement.

5.27 *Calculation for lot in two or more zoning districts.* The maximum residential density (lot area per dwelling unit) and gross floor area allowed on lots located in two or more zoning districts shall be calculated using the formulas specified in this Subsection 5.27.

5.27.1 The total number of dwelling units allowed shall be the sum of the total dwelling units allowed in each district, determined by adding the lot area in each district divided by the minimum lot area per dwelling unit for each district.

$$\text{Max \# dwelling units} = \frac{\text{Lot area in district 1}}{\text{district 1 min. lot area/du}} + \frac{\text{Lot area in district 2}}{\text{district 2 min. lot area/du}}$$

Where the computation of the total number of dwelling units allowed in each district results in two fractional numbers and where the sum of the resulting remainders from both districts equals or exceeds one, an additional unit shall be permitted.

- 5.27.2** The maximum gross floor area shall be the sum of the total allowed gross floor area in each district, determined by adding the lot area in each district multiplied by the maximum allowed floor area ratio (FAR) for each district.

$$\text{Maximum Gross Floor Area} = (\text{Lot area in district 1} \times \text{district 1 FAR}) + (\text{Lot area in district 2} \times \text{district 2 FAR})$$

5.28 *Special Dimensional Standards Applicable to Dwellings*

- 5.28.1** Dwellings in Non Residential Districts. A dwelling shall be subject to the dimensional standards generally applicable in the district set forth in the Tables of Dimensional Requirements in Section 5.30, except as provided for below.

- a. A dwelling in a Business A district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-2B district, except that the height limitation on lots abutting Hampshire Street shall be sixty-five (65) feet.
- b. A dwelling in a Business A-1 district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-1 district.
- c. A dwelling in a Business B district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-3 district.

- 5.28.2** Conversion of Non Residential Structures to Residential Use. Where it is proposed to convert an existing principal use structure, designed and built for non residential use, to residential use (excluding Transient Accommodations, Section i (1) and (2)), the dimensional standards generally applicable in the district as set forth in the Tables of Dimensional Requirements in Section 5.30 and other applicable regulations in this Ordinance shall apply. However, where some or all of those requirements cannot be met, the following provisions shall apply after issuance of a special permit by the Planning Board.

- 5.28.21** Gross Floor Area. The Gross Floor Area permitted shall be that which is the result of the application of the FAR permitted in the district in which the structure is located, or the existing Gross Floor Area of the structure itself, whichever is greater. However, additional Gross Floor Area may be added to the non residential structure without limit provided all construction creating additional Gross Floor Area occurs within the physical limits of the existing structure.

- 5.28.22** Dwelling Units. The number of dwelling units permitted shall be that number which is the result of the application of the Lot Area Per Dwelling Unit requirement in the district in which the structure is located, or that number of units produced when the Gross Floor Area of the structure as permitted in Section 5.28.21 above is divided by 900 square feet, whichever is greater.
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5.28.23 Yard Requirements. The required yards shall be those of the structure existing at the time of the conversion to residential use. However, any construction occurring outside the limits of the existing structure shall be subject to the yard requirements of the district in which the structure is located.

5.28.24 Maximum Height. The maximum height shall be that height permitted in the district in which the structure is located, or the building height, whichever is greater. However, any construction that occurs outside the existing limits of the structure, other than construction exempt from the height limit as set forth in Section 5.23, shall be subject to the maximum height limit of the district in which the structure is located.

5.28.25 Useable Open Space Requirements. The Useable Open Space requirement shall be that required in the district in which the structure is located, except as modified herein.

a. The dimensional and locational limitations for Useable Open Space set forth in Section 5.22 shall not apply; any combination of at-grade usable open space and decks and balconies at other levels shall be permitted as shall walks intended for non vehicular use. However, in every case where those requirements of Section 5.22 waived by this Paragraph (a) are not met, all portions of the surface of the lot shall be Green Area as defined in Article 2.000 that are (1) not covered by the building or (2) devoted to the minimum area necessary to provide at grade, conforming parking spaces and the minimum necessary circulation and driveways for no more than one parking space per dwelling unit. The amount of Useable Open Space required may be reduced by the Planning Board should the Board find that full compliance cannot reasonably be expected given the existing development of the lot and the provision of parking necessary to serve the dwelling units.

5.28.26 Conforming Additions. Conforming additions to such non-residential structures shall be permitted without reference to the limitations set forth in Section 8.22 for such additions to non-conforming structures.

5.28.27 Criteria for Approval of a Special Permit. In acting upon this special permit, the Planning Board shall take into account the standards and criteria set forth in Sections 10.43, 10.47 and 10.47.1 of this Ordinance. In addition the Planning Board shall consider the following:

(1) The impact of residential neighbors of the new housing use as it may affect privacy. The location and size of windows, screening elements, decks, entries, and other aspects of the design shall be reviewed to maintain reasonable levels of privacy of abutter where significant variations from the normally required dimensional standards for the district are granted.

(2) The impact of increased numbers of dwelling units above that normally permitted in the district, on on-street parking, particularly in neighborhoods where off street parking is limited.

5.30 DISTRICT DIMENSIONAL REGULATIONS

5.30.1 Rules for Applying Certain Provisions of the Tables of Dimensional Requirements

5.30.11 FAR and Height. Where two numbers appear in Column (1) – Maximum Ratio of Floor Area to Lot Area and Column (6) Maximum Height in Feet, the first number shall apply to all permitted uses in the district except Residential Uses, Section 4.31 a-h, and Dormitory (but excluding resident fraternity or sorority) Uses, Section 4.33 b(7), both of which shall be governed by the second number.

5.30.12 Calculation of Permitted Gross Floor Area on a Lot

Where two numbers regulate the permitted FAR on a lot, the Gross Floor Area of any uses proposed on the lot shall be determined by the following formula:

$$\text{Gross Floor Area Permitted} = [(A \times \text{FAR}_1) \times \text{Lot Area}] + [(B \times \text{FAR}_2) \times \text{Lot Area}]$$

Where A equals the percentage of Gross Floor Area in the building to be used for nonresidential use(s), and

Where B equals the percentage of Gross Floor Area in the building to be used for residential and dormitory use(s), and

Where $A + B = 100\%$ (or 1.0) or less, and

FAR_1 equals permitted FAR for nonresidential uses, and

FAR_2 equals permitted FAR for residential and dormitory uses.

5.31 Residential Districts

1. The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts: [Note: *The height limitations set forth in the following table are subject to exceptions for mechanical equipment and certain architectural features as outlined in Section 5.23. Reference should be made to Section 5.23 for a complete understanding of the actual height of building elements permitted in the Zoning Ordinance.*]

Table 5-1. Table of Dimensional Requirements - Residential Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height Usable in Feet	(7) Min. Ratio of Height Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25 ^(c)	35	50%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	25 ^(c)	35	50%
Res. B	0.5 ⁽ⁱ⁾	5,000	2,500 ⁽ⁱ⁾	50	15	7'6" (sum of 20)	25 ^(c)	35	40%
Res C. ⁽ⁱ⁾	0.6	5,000	1,800	50	$\frac{H+L}{4}$ ^(a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ ^(c)	35	36%
						(min. 7'6" sum of 20)			
Res. C-1	0.75	5,000	1,500	50	$\frac{H+L}{4}$ ^(a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ ^(c)	35	30%
Res. C-1A	1.25	5,000	1,000	50	10	$\frac{H+L}{7}$ ^(l)	$\frac{H+L}{5}$ ^(l)	45	15%
Res. C-2	1.75	5,000	600	50	$\frac{H+L}{4}$ ^(a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ ^(c)	85	15%
Res. C-2B	1.75	5,000	600	50	$\frac{H+L}{4}$ ^{(a)(k)}	$\frac{H+L}{5}$ ^(k)	$\frac{H+L}{4}$ ^{(c)(k)}	45	15%
Res. C-2A	2.5	5,000	300	50	$\frac{H+L}{5}$ ^{(b)(g)}	$\frac{H+L}{6}$ ^(g)	$\frac{H+L}{5}$ ^(c)	60	10% ^(h)
Res. C-3	3.0	5,000	300	50	$\frac{H+L}{5}$ ^(b)	$\frac{H+L}{6}$	$\frac{H+L}{5}$ ^(c)	120	10%
Res. C-3A	3.0 ^(d)	5,000	300	50	$\frac{H+L}{5}$ ^{(b)(e)}	$\frac{H+L}{6}$ ^(f)	$\frac{H+L}{5}$ ^(c)	120	10%
Res. C-3B	3.0/4.0	5,000 ^(m)	300	50	10	none	none	120	10%

2. Footnotes

- (a) Measured from the centerline of the street, but in no case may a building be nearer the street than ten (10) feet.
- (b) Measured from the centerline of the street, but in no case may a building be nearer the street line than five (5) feet
- (c) In no case may a building be nearer the rear lot line than twenty (20) feet in Residence C-2, C-2B, C-2A, C-3, C-3A, C-3B districts. In Residence C and C-1 districts, no building may be nearer the rear lot line than twenty (20) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds 100 feet, up to a maximum of thirty (30) feet. In Residence A-1, A-2, and B districts, no

building may be nearer the rear lot line than twenty-five (25) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds one hundred (100) feet, up to a maximum of thirty-five (35) feet. For purposes of this Footnote C, the lot depth shall be that distance measured along a line perpendicular to the front lot line and extending to that point on the rear lot line most distant from the front lot line.

- (d) The maximum ratio of floor area to lot area for buildings containing principal uses specified in Section 4.34 shall not exceed 1.25.
 - (e) For buildings subject to the floor area ratio limitation specified in footnote (d) above, the minimum front yards may be reduced to no less than five (5) feet measured from the street line.
 - (f) For buildings subject to the floor area ratio limitation specified in footnote (d) above, the minimum side yards may be reduced to no less than five (5) feet measured from the street line.
 - (g) In no case may a building on any lot which abuts or is separated only by a public or private way from a Residence A-1 and A-2, B, C, C-1, C-2, or C-2B district be nearer the street line or side line of the lot than the minimum front and side yard requirements for the residential district which said lot abuts or from which it is separated by a way. However, such increased setback requirements shall only apply to any part of a building which is located within one hundred and twenty five (125) feet of a Residence A-1, A-2, B, C, C-1, C-2, or C-2B district.
 - (h) The minimum ratio of usable open space to lot area required for a lot which abuts/or is separated only by a public or private way from a Residence A-1, A-2, B, C, C-1, C-2 or C-2B district shall be equal to the amount of usable open space required in the residential district which said lot abuts or from which it is separated by a way.
 - (i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:
 - (1) Any increase in floor area or numbers of units, provided all construction occurs within the limits of the existing structure: or
 - (2) For any construction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a nonconforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.
 - (j) Applicable to the first five thousand (5,000) square feet of lot area. For those portions of any lot exceeding five thousand (5,000) square feet, the applicable Maximum Ratio of Floor Area to Lot Area shall be 0.35 for all permitted residential uses and the Minimum Lot Area for Each Dwelling Unit shall be four thousand (4,000) square feet. However, for any lot in existence as of June 30, 1995 that is subsequently subdivided into two or more lots, the total amount of gross area and number of units on the subdivided lots, in total, shall at no time exceed that
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permitted by this footnote (j) on the lot before the subdivision occurred. Unless otherwise permitted by special permit from the Board of Zoning Appeal, the gross floor area and dwelling units permitted on each subdivided lot shall be in the same ratio as that lot's area is to the area of the unsubdivided lot. Nothing in this footnote (j) shall prohibit the subdivision of a Townhouse Development conforming at the time of its construction, as permitted in Section 11.10.

(k) Yard Requirements in the Residence C-2B District

- 1) Setbacks - In the Residence C-2B District, buildings shall comply with these yard requirements by being set back above and below ground.

- 2) Green Area - general

Two of the yards on a lot shall consist exclusively of green area as defined in section 2.000. Contrary to the provisions of said definition, hard surfaced walks and terraces shall not exceed twenty-five (25) percent of the area of each yard. At a minimum, green area setback shall consist of permanently maintained densely planted trees and shrubs that may be expected to form within three (3) years after the time of planting a continuous unbroken, year round visual screen. Every effort shall be made to retain the best existing trees in said setbacks to meet the requirements this section in whole or in part. Plans for landscaping and maintenance shall be approved by the Committee on Public Planting as appointed by the City Manager. No Certificate of Occupancy may be granted until landscaping under the terms of this section is completed.

- (3) Lots with more than four yards. If the shape of a lot creates a situation where there are more than four yards, this green area requirement shall apply to half of the yards, rounded up in the instance of an odd number of yards.
 - (4) Lots in two or more zoning districts. Where a zoning district boundary line or lines split a lot, a lot partially in the Residence C-2B district shall comply with provisions elsewhere in this zoning ordinance with regard to lots in two or more zoning districts, except that the setback and green area requirements of this footnote shall apply to all parts of the lot regardless of zoning district.
 - (5) Lots abutting more restrictively zoned districts. When any lot abuts a more restrictively zoned district or districts, all yards abutting the more restrictively zoned district(s) shall be designated as yards required to comply with the green area requirements of this footnote. This provision shall apply to that quantity of abutting yards numbering up to and including the maximum number of green area yards required by this footnote. The total number of green area yards required on a lot shall not be changed by the provisions of this subsection (5).
 - (6) Pedestrian and vehicular access.
 - (a) When a yard used to satisfy the Green Area Open Space requirement of this footnote is a front yard, the Green Area Open Space may be
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interrupted by not more than one path for pedestrian access to the building. Said pedestrian path shall be constructed perpendicular to the lot line and shall not be more than eight (8) feet wide. The green area yard may also be interrupted by not more than one driveway constructed perpendicular to the lot line and which is not more than twelve (12) feet wide.

- (b) The sum of the width of the said pedestrian path and driveway may not exceed the setback provided by the smallest of the yards provided on the lot.
 - (c) The areas allowed to be used for access under this subsection (6) shall be counted as part of the twenty-five (25) percent of the total required green area which is allowed to be use for hard surfaced walks and terraces for the front yard in which the access areas are constructed.
- (7) Townhouse Development When a lot is used for townhouse development, the provisions of this footnote shall apply to the lot before subdivision into townhouse lots. Subdivision into townhouse lots shall be done in such a manner as to not affect the application of this footnote to the entire unsubdivided lot. In particular, the pedestrian path and driveways allowed.
- (l) These requirements may be reduced to a minimum required setback of ten (10) feet with the grant of a special permit from the Planning Board provided that the yard is suitably landscaped to effectively buffer the building walls from abutting lots.
 - (m) For purposes of calculating FAR and for no other purpose, notwithstanding the definition of Lot in Article 2.000, a Lot in the Residence C-3B district may contain non-contiguous parcels provided that all parcels are held in identical ownership, are all located within the Residence C-3B district of any abutting Business B district, and further provided that development on any contiguous portion of the lot does not exceed an FAR of 4.0.

3. Setback exceptions

- (a) In a Residence A-1 or A-2 district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than fifteen (15) feet. A vacant lot or lot occupied by a building set back more than twenty-five (25) feet in a Residence A-1 district and more than twenty (20) feet in a Residence A-2 district shall be considered as though occupied by a building set back twenty-five (25) feet and twenty (20) feet respectively.
 - (b) In a Residence B district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto the on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than ten (10) feet. A vacant lot or a lot occupied by a building set back more than fifteen (15) feet shall be considered as though occupied by a building set back fifteen (15) feet.
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- (c) In a Residence C, C-1, C-2, C-2A, C-2B, C-3, or C-3A district if a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that it will be flush with that portion of the blank wall of the former building which extends along the lot line; otherwise, however, not less than the required side yard shall be provided; in any case the required side yard shall be provided for the remainder of the full lot depth. In case a side wall contains windows or in case any part of a side blank wall of an existing building shall be set back from the side lot line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line in accordance with the provisions thereof.

5.32 Office Districts

1. The following dimensional requirements, set forth in Table 5-2 and modified elsewhere in this Ordinance, shall be applicable to development in Office districts: [Note: *The height limitations set forth in the following table are subject to exceptions for mechanical equipment and certain architectural features as outlined in Section 5.23. Reference should be made to Section 5.23 for a complete understanding of the actual height of building elements permitted in the Zoning Ordinance.*]

Table 5-2. Table of Dimensional Requirements - Office Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height Usable in Feet	(7) Min. Ratio of Height Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Office 1	0.75	5,000	1,200	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	35	15%
Office 2	1.50/2.0	5,000	600	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	70/85 ^(d)	15%
Office 3	2.0/3.0	5,000	300	50	$\frac{H+L(b)}{5}$	$\frac{H+L}{6}$	$\frac{H+L(c)}{5}$	90/120	10%
Office 3A	2.0/3.0	5,000	300	50	$\frac{H+L(b)}{5}$	$\frac{H+L}{6}$	$\frac{H+L(c)}{5}$	90/120	10%

2. Footnotes

- (a) Measured from the centerline of the street, but in no case may a building be nearer the street line than ten (10) feet.
- (b) Measured from the centerline of the street, but in no case may a building be nearer to the street line than five (5) feet.
- (c) In no case may a building be nearer the rear lot line than twenty (20) feet.
- (d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of a Residence B district.

5.33 Business Districts

1. The following dimensional requirement, set forth in Table 5-3 and modified elsewhere in this Ordinance, shall be applicable to development in business districts: [Note: *The height limitations set forth in the following table are subject to exceptions for mechanical equipment and certain architectural features as outlined in Section 5.23. Reference should be made to Section 5.23 for a complete understanding of the actual height of building elements permitted in the Zoning Ordinance.*]

Table 5-3 Table of Dimensional Requirements - Business Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height Usable Op. in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Bus. A	1.0/1.75	none	600	none	none	none	$\frac{H+L}{5}^{(a)}$	35/45 to 65 ^(b)	none
Bus. A-1	1.0/0.75	none	1200	none	none	none	$\frac{H+L}{5}^{(a)}$	35	none
Bus. A-2	1.0/1.75	none	600	none	5 ^(m)	10 ⁽ⁱ⁾	20 ^(j)	45 ^(k)	none
Bus. A-3	0.75 ^(l)	5,000	1,500	50	H+L ^(h) /4	H+L/5	H+L ^(a) /4	35	30%
Bus. B	2.75/3.0	none	300	none	none	none	none	80	none
Bus. B-1	1.50/3.25	none	300	none	none	none ^(e)	none ^(e)	55/90 ^(c)	(d)
Bus. B-2	1.50/3.0	none	300	none	none	none ^(e)	none ^(e)	45	(d)
Bus. C	1.25/2.0	none	500	none	none	none	20 ^(j)	55 ^(g)	none
Bus. C-1	2.75/3.0 ⁽ⁿ⁾	none	450 ⁽ⁿ⁾	none	none	none ^(o)	20 ^(j)	50 ^{(g)(l)}	none

2. Footnotes

- (a) In no case may a building be nearer the rear lot line than twenty (20) feet.
- (b) As set forth in Section 5.28.1.
- (c) The cornice line of the principal front wall plane facing Massachusetts Avenue shall not exceed fifty-five (55) feet in height at the front lot line. Portions of buildings in excess of this height shall be set back behind a thirty-five (35) degree bulk control plane beginning at an elevation fifty-five (55) feet above the Massachusetts Avenue front lot line. The cornice line of the principal front wall plane facing Green street shall not exceed thirty (30) feet in height at the front lot line. Portions of building in excess of thirty (30) feet shall be set back behind a forty-five (45) degree bulk control plane beginning at an elevation thirty (30) feet above the Green Street front lot line. No building or portion of a building within forty-five (45) feet of the Green Street front lot line shall exceed forty (40) feet in height.
- (d) Open space requirements for a lot shall be determined by the mix of uses on the lot. Where one hundred (100) percent of the principal uses on a lot are residential uses listed in Subsections 4.31 a, b, d, e, and g, an area equivalent to fifteen (15) percent of the lot area shall be reserved as usable open space. Where one hundred (100) percent of the principal uses on the lot are other uses, an area equivalent to fifteen (15) percent of the lot area shall be reserved as publicly beneficial open space. Where development on a lot contains both the aforesaid residential uses and other

uses, an area equivalent to fifteen (15) percent of the lot area shall be devoted to both types of open space in relative proportion to the gross floor areas occupied by residential uses and other uses. The amount of each type of open space shall be determined by the formulae below. The results of said formulae notwithstanding, a minimum of fifteen (15) percent of the area of that portion of a lot within forty-five (45) feet of a front lot line facing Green Street shall be devoted to landscaped green space as specified in Subsection 4.27.3. Where more than fifty (50) percent of the area of that portion of a lot is devoted to landscaped green space, as specified in Subsections 4.27.2 and 4.27.3, none of such green space shall be counted in determining compliance with this Subsection 5.332d. Where fifty (50) percent or less of the area of that portion of a lot is devoted to landscaped green space, such area may be counted in determining compliance with this Subsection 5.33 2d.

- (1) Minimum required total area reserved for both types of open space = lot area multiplied by .15.
 - (2) Share of development devoted to residential uses = gross residential floor area divided by gross floor area of entire development.
 - (3) Minimum required usable open space associated with residential use = total open space required multiplied by residential share.
 - (4) Share of development devoted to other uses = other gross floor area divided by gross floor area of entire development.
 - (5) Minimum required publicly beneficial open space = total open space requirement multiplied by other use share.
- (e) Where any lot abuts a residential district, buildings above and below ground shall be set back a minimum of twenty (20) feet from the zoning district boundary line, notwithstanding anything to the contrary provided in Article 6.000 of this Ordinance. Said setback shall consist exclusively of landscaped green area as defined in Article 2.000. Where the zoning district boundary line splits a lot the minimum twenty (20) foot setback shall be measured from the lot line(s) located in the residential district. At a minimum green area setback shall consist of permanently maintained, densely planted trees and shrubs that may be expected to form within three (3) years after time of planting a continuous, unbroken, year round visual screen. Every effort shall be made to retain the best existing trees in said setbacks to meet the requirements of this section in whole or in part. Plans for landscaping and maintenance shall be approved by the Committee on Public Planting as appointed by the City Manager. No Certificate of Occupancy may be granted until landscaping under the terms of this section is completed.
- (f) Subject to the provisions of Footnote 1 in Section 4.40 – Footnotes to the Table of Use Regulations.
- (g) Thirty-five (35) feet [or height permitted in the abutting residential district, but in no case higher than fifty-five (55) feet] within fifty (50) feet of a residential district line. Where the zoning district boundary splits a lot the fifty (50) feet shall be measured from the lot lines located in the residential district. The height, however, may
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exceed thirty-five (35) feet provided the building is set back a minimum distance equal to two-thirds ($\frac{2}{3}$) the height.

- (h) Measured from the centerline of the street but in no case may a building be nearer the street than ten (10) feet.
- (i) If a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that it will be flush with that portion of the blank wall of the former building which extends along the lot line; otherwise no less than the required side yard setback shall be provided. In the case that any portion of a side wall of the existing building contains windows or is set back from the property line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line as required.
- (j) Or two-thirds ($\frac{2}{3}$) of the height of the rear wall whichever is greater; however in the Business C and Business C-1 districts no rear yard shall be required where the rear lot line abuts a lot all of which lies in a business or industrial district.
- (k) Provided however that any portion of a building having a height greater than thirty-five (35) feet shall be set back of a bulk control plane rising at an angle of forty-five (45) degree from the plane of the principal front wall and rear wall planes beginning at a height of thirty-five (35) feet.

Where the parcel has frontage on two or more streets, this setback plane provision shall apply only to the front wall plane facing the principal abutting arterial street and to the opposite wall plane facing either a side or front property line.

- (l) The maximum height of a building may be increased to sixty (60) feet provided the average height of the building is fifty (50) feet (excluding any portion of the building devoted to parking which is not covered with building included in gross floor area). The heights of the several parts of the building shall be such that the volume of building exceeding fifty (50) feet in height shall be equal to or less than the volume of space lying between the fifty (50) foot height and portions of building less than fifty (50) feet in height, as illustrated below:

Volume 1 (area of a building at a single height - 1 above fifty feet x the difference between height - 1 and fifty feet) + Volume 2 (area of building at a single height - 2 above fifty feet x the difference between the height - 2 and fifty feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height - 1' below fifty feet x the difference between height 1' and fifty feet) + Volume 2' (area of building at single height - 2' below fifty feet x the difference between height - 2' and fifty feet).

- (m) Or the setback of the principal front wall plane of any adjacent building facing the same street, whichever is less.
 - (n) Of the total FAR permitted on the lot the maximum ratio of floor area to lot area for permitted principal uses other than residential uses specified in Section 4.31 shall not exceed 2.75. The maximum ratio of floor area to lot area for permitted residential uses specified in Section 4.31 shall be 2.5 as of right; it may be increased to 3.0 and lot area per dwelling unit decreased to three hundred (300)
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after the issuance of a special permit by the Planning Board provided the following conditions are met:

1. At least seventy-five (75) percent of the gross floor area on the lot is devoted to residential uses specified in Section 4.31.
 2. All parking on site is covered and enclosed.
 3. Fifteen (15) percent or more of the lot is green area or other open space acceptable to the Planning Board.
 4. The building shall be subject to mandatory design review.
- (o) H+L/6 for all buildings having fifty (50) percent or more of their gross floor area devoted to residential uses specified in Section 4.31 where the side lot line abuts or is within fifty (50) feet of a lot residentially used, the majority of which lies in a residential district.
3. deleted
 4. deleted
 5. deleted
 6. deleted
 7. deleted
 8. A special permit may be granted by the Board of Zoning Appeal to reduce the required front yard for a dwelling constructed entirely above a commercial establishment in any Business district except the Business A-3 district. .
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5.34 Industrial Districts

1. The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in office districts: [Note: *The height limitations set forth in the following table are subject to exceptions for mechanical equipment and certain architectural features as outlined in Section 5.23. Reference should be made to Section 5.23 for a complete understanding of the actual height of building elements permitted in the Zoning Ordinance.*]

Table 5-4 Table of Dimensional Requirements - Industrial Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height Usable in Feet	(7) Min. Ratio of Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	1.25/1.50	5,000	700	50	0	0 ^(b)	0 ^(b)	45	none
Ind. A-2	2.75/4.0	5,000	none	50	0	0 ^(b)	0 ^(b)	70	none
Ind. A	1.25/1.50	none	none	none	none	none	none	45 ^(d)	none
Ind. B-1	1.5/3.0	5,000	none	50	0	0	0	60/70	none
Ind. B-2	1.5	5,000	none	50	0	0 ^(b)	0 ^(b)	85 ^(c)	none
Ind. B	2.75/4.0 ^(e)	none	none	none	none	none	none	120	none
Ind. C	1.0	20,000	none	100	0	0 ^(b)	0 ^(b)	45	none

2. Footnotes

(a) deleted.

(b) A side yard setback of $\frac{H+L}{7}$ and a rear yard setback of $\frac{H+L}{5}$ shall be required only for residential uses in new structures and for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

(c) Thirty-five (35) foot height limit within one hundred (100) feet of a residential structure less than thirty-five (35) feet in height or a residential district.

(d) One hundred and thirty (130) feet by special permit for buildings related to storage and processing of materials permitted in Section 4.37m.

(e) Except that within the area bounded by Binney Street on the north, a line one hundred and fifty (150) feet easterly of Cardinal Medeiros Avenue on the west, Broadway on the south, and the railroad right of way on the east, the FAR may be increased to 3.2 for non-residential uses for an addition to a building in existence as of June 1, 2001 provided that for each four hundred and fifty (450) square feet of GFA added above an FAR of 2.75 one existing parking space is permanently eliminated.

5.35 *Open Space Districts*

1. The following dimensional requirements, set forth in Table 5-5, shall be applicable to development in an open space district: [Note: *The height limitations set forth in the following table are subject to exceptions for mechanical equipment and certain architectural features as outlined in Section 5.23. Reference should be made to Section 5.23 for a complete understanding of the actual height of building elements permitted in the Zoning Ordinance.*]

Table 5-5 Table of Dimensional Requirements - Open Space Districts

(1) Maximum Ratio of Floor Area to Lot Area:	.25
(2) Minimum Lot Size:	43,560 square feet
(3) Minimum Lot Width:	150 feet
(4) Minimum Yard:	
(a) Front	25 feet
(b) Side	15 feet
(c) Rear	25 feet
(5) Maximum Height:	35 feet
(6) Minimum Ratio of Usable Open Space to Lot Area:	60%

5.40 **TRANSITIONAL REQUIREMENTS**

- 5.41** *Front yard:* In an Office, Business or Industrial district no building shall be erected nearer to the street line than is permitted in the adjacent Residence district within a distance of fifty (50) feet from the Residence district boundary line, except where such building is separated by a street from the Residence district.

- 5.42** *Side yard:* In Office, Business or Industrial districts no building shall be erected within ten (10) feet of the side lot line of any abutting lot, all or the major portion of which is in a Residence district.

- 5.43** *Height:* In a Business C district, within fifty (50) feet of a residential zone, no building shall be erected that is greater than thirty-five (35) feet in height.

5.50 **SPECIAL DIMENSIONAL REGULATIONS**

- 5.51** *Lot Size Requirements for Elderly Oriented Housing.* The required number of square feet of lot area per dwelling unit in elderly oriented housing or for each living space in elderly oriented congregate housing is decreased to one half (1/2) the number of square feet of lot area per dwelling unit customarily required in Section 5.30 of this Ordinance.

- 5.52** *Townhouse Development.* The dimensional requirements of this article may be reduced for townhouse developments as governed by the regulations of Article 11.000.

5.53 In Residence A-1 and Residence A-2 districts, only one structure containing a principal use shall be allowed on a lot.

In Residence B districts only one structure containing a principal residential use shall be allowed on a lot except as set forth below:

1. More than one structure containing a principal residential use shall be allowed on a lot provided all portions of all structures are located no farther than seventy-five (75) feet from any street line to which the lot abuts. However, those elements of a structure that are permitted to extend into required yards as set forth in Section 5.24.2, may extend in a similar manner beyond the seventy-five foot limit.
2. By special permit from the Planning Board provided the Board finds
 - (a) that development in the form of two or more structures on the lot will not significantly increase or may reduce the impact of the new construction should it occur in a single structure; or
 - (b) That two or more structures may provide identifiable benefits beyond that provided should all construction be in a single structure. In making its findings the Board shall consider the impact of the new construction on the following:
 - (1) the extent to which the preservation of a large contiguous open space in the rear of the lot or series of adjacent lots is achieved through the provision of a rear yard setback significantly greater than that required and through the dedication of that rear yard as Green Area, as defined in this Ordinance,
 - (2) incentives for the location of buildings and parking facilities in the front half of a lot in a pattern compatible with the development pattern prevailing in the neighborhood,
 - (3) the extent to which two or more structures provides an enhanced living environment for residents on the lot,
 - (4) incentives to retain existing structures on a lot, particularly any structure determined to be a Preferably Preserved Significant structure by the Cambridge Historical Commission,
 - (5) the opportunities presented to reduce the visual impact of parking from the public street and from adjacent lots,
 - (6) The increased opportunities to reduce the height and bulk as new construction is deeper into a lot or closer to structures on abutting lots.

In Residence A-1, A-2 and B districts there shall be no limit on the number of those structures on a lot that contain principal nonresidential uses exclusively, provided all other requirements of this Zoning Ordinance are met.
